

Serial Number:10/724,264
Art Unit 1656

A **Supplemental Examiner's Amendment** to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it **MUST** be submitted no later than the payment of the issue fee.

Authorization for this Examiner's Amendment was given in a telephone interview with Ms. Viola T. Kung , on 11/06/2008 .

Examiner's Amendment to the Claims

Cancel claims 13, 15, 21-22.

In claim 1, lines3-4, after “proteorhodopsin variant “, delete “ is a naturally occurring proteorhodopsin or a proteorhodopsin homolog”.

In claim 1, line 4, after “ 90% identity with”, delete “the” and substitute therefor --- its corresponding ---.

In claim 1, line 6, after “SEQ ID NO:3 for “, delete “a”.

In claim 16, line 4, after “or the proteorhodopsin”, delete “homolog” and substitute therefor --- variant of claim 1---.

In claim 16, line 8, after “ the proteorhodopsin”, delete “mutant” and substitute therefor --- variant---.

In claim 23, line 2, after “proteorhodopsin”, delete “homolog” and substitute therefor ---variant - --.

In claim 25, line 3, after “variant is”, delete “ a naturally occurring proteorhodopsin having a sequence”.

In claim 25, line 4, after “, 151”, delete “or” and substitute therefor --- and ---.

In claim 25, line 5, before “having at least 90%”, delete “a proteorhodopsin homolog”.

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In claim 25, line 8, after "SEQ ID NO:3 for ", delete "a".

In claim 26, line 2, after "proteorhodopsin", delete "homolog" and substitute therefor ---variant -
--.

The following is an **Examiner's Statement of Reasons for Allowance**:

Claims 1, 4-5, 7-9, 14, 16, 19, 23, 25-27 remain allowed for the reasons of record.

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Maryam Monshipouri whose telephone number is (571) 272-0932. The examiner can normally be reached on Tues.-Fri., from 7:00 a.m to 5:30 p.m..

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Kathleene Kerr Bragdon can be reached on (571) 272-0931. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would

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like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/Maryam Monshipouri/

Primary Examiner, Art Unit 1656

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